

Response  
USSN 09/865,532

**REMARKS**

Claims 1-11 remain in the application, all claims having been rejected under 35 USC 103(a) as unpatentable over Lauper (US 2002/0098830 A1). This rejection is respectfully traversed.

The examiner relies on Lauper based on its 102(e) effective prior art date of December 15, 1999, which is the PCT international filing date. However, the revisions to the US law that result in a 102(e) date as of the PCT international filing date do not apply to US applications which derive from PCT international applications filed before November 29, 2000. This is clearly explained in MPEP 706.02(f)(1). Since Lauper derives ultimately from a PCT international application filed prior to November 29, 2000, its effective prior art date is March 18, 2002. This is subsequent to the US filing date of the present application, and Lauper is therefore not available as prior art.

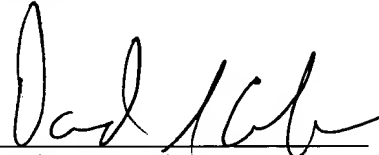
In view of the above, reconsideration of the application and allowance of all claims are respectfully requested at this time.

If there are any issues remaining which the examiner believes could be resolved through an Examiner's Amendment or a telephone conference, the examiner is respectfully requested to contact the undersigned at the local exchange indicated below.

Response  
USSN 09/865,532

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
David J. Cushing  
Registration No. 28,703

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: September 1, 2004